

# New Hampshire Rail Transit Authority

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*Chair: Peter Burling*

*Vice Chair: Katherine Hersh*

## Minutes

November 20, 2009, 10:00 am

LOB 201

Attendance: Peter Burling, Katherine Hersh, Kerrie Diers, David Preece, Representative Mary Allen, Representative Candace Bouchard, Mark Brewer, Mike Izbicki, Representative Sandra Keans, Nancy Larson, Tom Mahon, Jay Minkarah, Tim Moore, Steve Pesci, Mike Tardiff, Malcolm Taylor, Representative Robert Williams, Shawn Donovan, Bruce Woodruff

### **I. Call to Order - 10:00**

Peter Burling introduced Karla Karash, TranSystems, to the NHRTA and thanked her for the time and assistance in analyzing and developing the application submissions. Mike Izbicki noted that TranSystems brought professionalism, energy and support to the application process and they are second to none. The project has come a long way under their guidance. They are a great team.

Karla Karash updated the NHRTA on the economic analysis report. They are just beginning the analysis. The first step is gathering data and they will need help in obtaining information. She will pass on requests for information as soon as we know what we need for the economic consultant.

Peter Burling provided an update on his agenda for an upcoming trip to Washington, D.C. He will be meeting with Amtrak executives, the General Counsel, and North East director and other staff to discuss the Capitol Corridor project. They will also meet with Senator Shaheen and legislative staff, and Sen. Rockefeller staff to discuss options for us to pursue perhaps with the Surface Transportation Board. Peter will update us upon his return.

Peter Burling noted that there are ongoing discussions with Norfolk Southern that focus on building a working relationship with them.

### **II. Public Input - *Members of the public wishing to will be given an opportunity to address the NHRTA Board.***

Dennis Grimes, Bedford, NH - Is interested in federal funding for rail, and wanted to know what is the percent of federal funding for the project? Is it 80% with a 20% match? Peter Burling stated that it depends upon program. The ARRA funding for high speed or intercity rail is 100% federal funding, but is a competitive process. Preferential attention is given to those projects that have match. California and the



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Midwest have provided match funding in their projects. Commuter rail has 50-50 match for FTA funding. Amtrak requires state contribution. Dennis Grimes stated that he thought that the funding mechanism should equal what we do for highways for match. It is part of our economic engine in general. This is common sense for the good of NH and NE.

Peter Burling suggested that people contact their legislative delegation directly with suggestions like these - we need to have citizens support ideas like these directly to their legislators.

James Vayo, Nashua - Recommended that the NHRTA members read *America2050* a research project that discusses which high speed rail works best in America based on mega regions. The Capitol Corridor is in direct competition with the NY corridor. James noted that a train fell over in Nashua, and requested that this board draft a letter to NH DOT to investigate.

Peter Burling stated that the NTSB will investigate. We will await their review and investigation. Train derailment is an example of what will be happening more and more unless we upgrade conditions. Mike Izbicki added that it usually takes a year to get back a report on the accident because they will look at everything about the conditions, etc., and there are usually recommendations and actions that are a consequence of the report.

Peter Giernas, Southern NH RR stated that there is no mechanism to require upgrade of track conditions. The train was probably going 5-6 miles per hour. Best thing NHRTA can do is to continue conversations with Norfolk Southern. It increases operating costs to go 10 miles per hour instead of 30.

Peter Burling asked Commissioner Campbell to make remarks. Commissioner Campbell stated that there is a lot going on in state with regard to rail issues. NH DOT values its relationship with the NHRTA and is glad to be connected formally. We are continuing conversations with Amtrak and the legislative delegation. There have been meetings with Governor Lynch who clearly supports the effort. People in the eastern part of the State are concerned about support for the Downeaster and Plaistow service. The Commissioner met with his New England counterparts, and Jeff Mullen from MA understands the importance of Boston-Manchester Regional Airport connection to rail. That is very important and wants to make that happen.

### **III. Minutes - Minutes October 23, 2009**

Representative Allen made a motion to approve the minutes subject to minor edits seconded by Mike Izbicki. The motion passed unanimously with one abstention.

### **IV. Update on Grant Process**

They are in the process of reviewing applications. There were problems with resources and attention in Washington right now is on healthcare. We are probably looking at a March timeframe.



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## **V. Update on Economic Impact Study**

Karla Karash will be requesting data and all available studies. We are all willing to pull together to get the analysis done quickly. Commissioner Campbell offered to provide the origin/destination study along the corridor.

## **VI. Logo Contest Results**

Christine Walker summarized the process for the Logo contest. Notices were sent to every university system, and posted on the website. There was an art release form, and 25 respondents to the contest. The Subcommittee met and made a recommendation to board, which was distributed.

Discussion regarding the Rail Transit Authority name ensued. There was a search for all pending bills in the legislature that include rail & rail authority, and two were identified. Representative Chandler's legislation is designed to remove bonding capacity of authority. NHRTA will not bond without collaboration/cooperation with all partners. The other bill is proposing to remove NHDOT representative from NHRTA. Our affiliation with NHDOT is helpful and our partnership is important to the success of the project. We should have statement of what we think about the impact of those bills on NHRTA.

Commissioner Campbell stated that we should ensure we have the authority and proper oversight to deal with non-highway issues. Make sure we have sufficient funds for this, and to make sure we do not act in contravention to the constitution. We will need to clarify this issue.

We need to have discussion on the LSRs at another time. Malcolm Taylor asked if there is another bill to streamline enabling legislation. Peter Burling stated that we need to change our name to NH Rail and Transit Authority - we should talk about passenger rail and freight rail at same time.

Attorney Hiltz stated that he still doing the analysis on how a name change would impact the current statutory language. Michael King asked if we will address this in



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the current legislative session? The intent is to do something this legislative session. Shawn Donovan stated that he would support name change. This needs to be clarified.

Christine stated that the logo before you is the recommendation of the subcommittee. Peter Burling suggested that we accept recommendation of the subcommittee.

**DAVID PREECE made a motion to accept recommendation of committee as the logo of the NHRTA, Rep Williams seconded the motion.**

Discussion:

Kathy Hersh asked if the logo will be in black and white. Christine stated that the Board can use the logo and artwork as we see fit. Steve Pesci approves of this logo. It resembles the Downeaster.

Tom Mahon stated that it is reminiscent of the old Southern Pacific logo. Mike Izbicki suggested that we look to see if this is trademark registered and make sure this is not copyrighted.

Peter Burling asked what are the next steps. Commissioner Campbell suggested that we accept the committee's recommendation with the condition that the logo artwork is not copyrighted.

Christine stated that the next steps are that Nancy Larsen will take over the Subcommittee, will notify the winner, and invite press to promote the NHRTA and thank the Keene State Student who designed the logo. We will look into trademark issues prior to scheduling press event/acceptance of logo. Nancy Larson stated that we will wait until we notify other logo contestants until we check this out. Peter Burling suggested that she coordinate with Attorney David Hiltz on how to complete search.

Peter Burling thanked the Subcommittee and Christine for their work on this project.

**The motion passed unanimously.**

## **VII. Other Discussion**

Commissioner Campbell updated the NHRTA on the GACIT process. On Wednesday, the GACIT met to review 10 Year Plan. In the current plan there are a number of items listed under the City of Nashua for rail and train sets. This is more reflective of past than what we are now looking at as the Capitol Corridor project. The NHDOT will lay out what their expectations are for funding for capitol corridor, using CMAQ funds and other longer term projects to make sure that it is in the plan and not have to make amendments to STIP in future. Final vote will be on December 9<sup>th</sup> and then it will then



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be in the official state plan that will be voted on by Legislature. This is for capital only - not operating expenses.

There was an editorial in the Hartford Current comparing Midwest and northeast proposals and suggesting that New England was not as coordinated. At the Burlington Rail Summit meeting, all 6 governors signed on to cooperation. Governor Baldachi leads rail charge and has a clear statement of cooperation. We met with our counterparts last week to talk about rail at CONEG. The Amtrak revenue is key to the corridor to work together. Everyone is committed to regional cooperation and Canadian premiers are involved through group that meets annually with the governors.

Kathy Hersh asked since there was extensive discussion in October of the Capitol Corridor as a whole or in best completed in phases, do we want to take a formal vote on a position as an authority?

Peter Burling commented that the NHRTA consensus clearly backed supporting the entire program from Boston to Concord as a high speed rail corridor. Do we need to take a formal vote?

Michael King stated that these are priorities, but are not the only things we're working on. Changing our name will change our priorities and will open up the freight issue. The Saint Laurence & Atlantic are very important.

Peter Burling stated that clearly our first priority is Concord - Boston intercity rail and all agree on that.

Representative Bouchard asked where that leaves Plaistow. If something comes up how do we deal with this?

Peter Burling stated that we are supportive of the project. They need to work out the overnight facility issue. There is a subcommittee that can keep us informed on the progress. If something comes up, we will be flexible and not bar support of other passenger rail efforts. If there are other projects, groups within the state, we will support reasonable efforts and form subcommittees where needed. The Pheasant Lane Mall, a Nashua issue, will we support expenditure of state funds for this? These are difficult calls.

Commissioner Campbell stated that we need to use continued collaboration to support multi modes. Manchester Airport is extremely important, bus service is important for east -west connections - it is a hub. We need to be opportunists as we proceed. We should not turn our back on opportunities in Plaistow or Nashua or Downeaster. The focus on Capitol Corridor is not a preemption of other opportunities. Steve Pesci stated he willing to facilitate discussions on Downeaster.

Representative Keans received call from someone who suggested that if the Downeaster does not receive some funding from NH, they may forego stops at Dover, Durham, Rochester, etc (express through NH). Steve Pesci stated that the Amtrak concept is being evaluated as a service change in future - like all other alternatives.



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Bruce Woodruff said that Dover pays \$67,000 year to maintain the station. To forego a stop in Dover is not well thought out.

Commissioner Campbell suggested that we may want to have someone come speak with the Authority on a future agenda to get real information about operating capital, future plans, etc.

Peter Burling said that we need to talk about fair contribution to Downeaster and where funding comes from to support it. 100% of Maine's CMAQ funding goes to Downeaster. Their funding does not come from its general fund. David Preece asked what is status on state rail plan? Commissioner Campbell said we will need to check with Chris Clement. David Preece said that we need to have some data to be able to talk about this.

Kathy Hersh stated that we were told there was not enough funding to meet criteria for state rail plan. We need to have an updated plan in place when we make this application next summer. Commissioner Campbell said we don't want any barriers to our application. We can look into other funding perhaps stimulus funds will be available.

Peter Burling thanked Karla Karash for attending the meeting. We are looking forward to seeing the report.

## **VIII. Adjourn**

**Tim Mahon moved to adjourn, seconded by David Preece.**

**The motion passed unanimously.**

The meeting was adjourned at 11:30 am.

Respectfully submitted,

Kerrie Diers